

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TRISTAN HOLLY MARTINEZ,

Plaintiff,

v.

No. 1:24-cv-0154 DLM

CAROLYN COLVIN,
*Commissioner of the Social Security
Administration,*

Defendant.

ORDER GRANTING IN PART EXTENSION OF TIME

THIS MATTER is before the Court on Defendant's third motion for an extension of time. (Doc. 26.) Defendant seeks a one-month extension of time to respond to Plaintiff's motion. (*See id.*) The Court granted Defendant an extension of time to complete the certified administrative record and then another extension due to a heavy workload. (Docs. 11; 25.) Plaintiff was given two extensions of time to file a motion to remand and then a stay due to a medical emergency on the part of Plaintiff's counsel. (Docs. 14; 16; 18.) Defendant now seeks another 30-day extension to file a response brief to Plaintiff's motion on the same basis of a heavy workload. (*See* Doc. 26 at 2–3.) An attorney's large caseload does not ordinarily constitute a reason to justify multiple extensions to a Court's scheduling order. *See, e.g., Gonzales v. Berryhill*, No. 18-CV-00437 REB, 2018 WL 3391946, at *3 (D. Colo. July 12, 2018) (declining a request for equitable tolling and noting that an attorney's heavy caseload is not an extraordinary circumstance sufficient to disregard applicable rules).

The Court will **GRANT IN PART** this final request for an extension and give Defendant a **one-week** extension of time to respond. The Court will likely not grant any further requests, as further extensions will impact the Court's own schedule and deadlines.

IT IS THEREFORE ORDERED that:

- 1) The motion for extension of time is **GRANTED IN PART** (Doc. 26);
- 2) Defendant shall file its response brief in this matter no later than **February 12, 2025**;
- 3) Plaintiff may file a reply no later than **14 days** after Defendant files a response.



DAMIAN L. MARTINEZ
UNITED STATES MAGISTRATE JUDGE